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Attorney for Petitioner

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

RUSSELL SHETTERS III,

Petitioner,

vs.

SUPERINTENDENT JOE SCHMIDT,

Respondent.

Case No. 3:04-cv-0142-TMB

STATUS REPORT

Petitioner, Russell Shetters, III, by and through counsel Mary C. Geddes, Assistant Federal Defender, hereby files a status report. This federal case is stayed pending the litigation of related matters in state court.

The undersigned has been tracking the state court post-conviction proceeding, 3AN-05-04567 CI, through the Court View database and through occasional contacts with staff in the chambers of the assigned judge, the Honorable Craig Stowers.

It appears that, again, nothing has occurred in the state post-conviction case with respect to the anticipated court's appointment of conflict counsel. In messages left for this

counsel, Mr. Shetters has indicated his frustration with the lack of any activity in his state court case. Therefore, it is apparent that any arguable lack of exhaustion is not attributable to Mr. Shetters at this late juncture. This federal case should go forward.

DATED this 24th day of January, 2008.

Respectfully submitted,

FEDERAL PUBLIC DEFENDER
FOR THE DISTRICT OF ALASKA

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Certification:
I certify that on January 24, 2008,
a copy of the foregoing document
was served electronically on:

Michael Sean McLaughlin, Esq.
Office of Special Prosecutions
and Appeals

/s/ Mary C. Geddes